

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on April 9, 2008. Defendant Gurolla appeared in person and with retained counsel David Johnson. The United States of America appeared by Assistant United States Attorney Charles Ambrose.

I. BACKGROUND

On December 5, 2007, an indictment was returned charging Defendant Gurolla with one count of conspiracy to distribute methamphetamine and marijuana, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A); one count of aiding and abetting the distribution of methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2; one count of possession with the intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A); one count of possession with the intent to distribute marijuana, in

violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(D); and criminal forfeiture pursuant to 21 U.S.C. § 853.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Ambrose announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Detective Keegan Hughes, Jackson County Drug Task Force.

Mr. Johnson announced that he will be the trial counsel for Defendant Gurolla.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Ambrose announced that the government intends to call twelve witnesses without stipulations or ten witnesses with stipulations during the trial.

Mr. Johnson announced that Defendant Gurolla intends to call four witnesses during the trial. Defendant Gurolla may testify.

V. TRIAL EXHIBITS

Mr. Ambrose announced that the government will offer approximately fifty exhibits in evidence during the trial.

Mr. Johnson announced that Defendant Gurolla will offer approximately fifty exhibits in evidence during the trial.

VI. DEFENSES

Mr. Johnson announced that Defendant Gurolla will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Johnson stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemist's reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take two to two and a half days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed March 11, 2008, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by or before Wednesday, April 9, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, April 16, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, April 16, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

Counsel and Defendant Gurolla were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on April 21, 2008. The parties request the second week of the docket due to conflicts for witnesses and attorneys during the first week.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
April 9, 2008

cc: The Honorable Nanette K. Laughrey
Mr. Charles Ambrose
Mr. David Johnson
Mr. Jeff Burkholder